

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ALJOSHUA RULLAN and CHERYL
RULLAN,

Plaintiffs,

JONG MIN RHEE (aka JOHN LUSSO);
LUSSO AUTO LLC dba LUSSO AUTO SPA
& DESIGN; and LUSSO AUTO DESIGN;

Defendants.

Case No.: 2:22-cv-00597-APG-EJY

Order (1) Awarding Additional Damages and (2) Directing Entry of Judgment

[ECF Nos. 36, 39]

I previously granted summary judgment in favor of plaintiffs Aljoshua Rullan and Cheryl Rullan and awarded some of their requested damages. ECF No. 37. I allowed the Rullans to file a supplemental brief regarding additional items of damage and prejudgment interest. They have done so. ECF No. 39. In their supplemental brief, they appropriately support their request for \$39,002.80 for their loss of use of the truck; \$26,431.09 in prejudgment interest through August 7, 2023; and \$52.27 per day for prejudgment interest beyond August 7. I will award those amounts. I calculate the additional prejudgment interest for the period August 8, 2023 through September 22, 2023 (46 days) to be \$2,404.42. Thus, the total amount of prejudgment interest is \$28,835.51.

19 The Rullans are entitled to treble their compensatory damages under Nevada Revised
20 Statutes § 42.005(1), which I hereby award. This includes trebling of the prejudgment interest
21 amount as it is considered compensatory damages. *West Virginia v. United States*, 479 U.S. 305,
22 310-311, n.2 (1987).

23 I therefore award damages as follows:

1 \$85,000 as the amount paid for the truck

2 \$4,113.66 for upgrades to the truck

3 \$58,000 for emotional damages

4 \$39,002.80 for loss of use of the truck

5 \$28,835.51 for prejudgment interest

6 \$214,951.97 Total of compensatory damages

7 \$644,855.91 for punitive damages (treble compensatory damages)

8 **\$859,807.88 total award (compensatory and punitive damages)**

9 This amount does not include the Rullans' costs, which are covered by the bill of costs

10 they filed for approval by the clerk of court. Fed. R. Civ. P. 54(d)(1); Local Rule 54-1.

11 I THEREFORE ORDER the clerk of court to enter judgment in favor of plaintiffs

12 Aljoshua Rullan and Cheryl Rullan and against Jong Min Rhee (aka John Lusso); Lusso Auto
13 LLC dba Lusso Auto Spa & Design, and Lusso Auto Design in the amount of \$859,807.88. The
14 clerk is further directed to close this case after ruling on the pending bill of costs (ECF No. 38).

15 DATED this 22nd day of September, 2023.

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17 ANDREW P. GORDON
18 UNITED STATES DISTRICT JUDGE

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